

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AWARDING A CONSTRUCTION CONTRACT TO AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER, SUAREZ & MUNOZ CONSTRUCTION, INC., IN THE AMOUNT OF \$334,710 AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO NEGOTIATE AND EXECUTE CHANGE ORDER(S) IN A CUMMULATIVE AMOUNT NOT TO EXCEED \$52,000 FOR THE MCCARTHY BOULEVARD LIGHTING & LANDSCAPE IMPROVEMENTS PHASE I PROJECT NO. 3402**

**WHEREAS**, on June 17, 2014, the City Council approved the project plans and specifications and authorized the advertisement for construction bid proposals for McCarthy Boulevard Lighting & Landscape Improvements Phase I Project No. 3402, which provides for the rehabilitation of portions of the irrigation and lighting systems, landscaping, and correction of deficiencies to comply with current regulations at the intersection of South Ranch Drive and McCarthy Boulevard and the northern monument sign location on McCarthy Boulevard near the City limits ("Project"); and

**WHEREAS**, the Engineer's Estimate for the base bid Project work was \$300,000; and

**WHEREAS**, the Project was advertised and three (3) sealed bid proposals were received and opened on October 30, 2014, which ranged from \$317,710 to \$547,512, and the lowest responsible base bid was submitted by Suarez & Munoz Construction, Inc. in the amount of \$317,710; and

**WHEREAS**, the bid package included one add alternate item for consideration of submitted pricing after bid opening and City staff recommends awarding the construction contract with this item for a not-to-exceed amount of \$17,000, which was below the \$20,000 Engineers Estimate for this add alternate item; and

**WHEREAS**, no bid protest was filed with the City within five (5) days of the bid opening as set forth in the project plans and specifications; and

**WHEREAS**, sufficient funds to award the Project are available in the Project budgets, staff recommends the City Council authorize the City Manager to award to and execute a construction contract with the lowest responsible bidder for the Project in conformity with State law; and

**WHEREAS**, due to the Project's tight completion schedule and ability for staff to respond swiftly to unanticipated construction conditions in order to limit potential claims or risk to the City, staff recommends the City Council authorize the Director of Public Works to negotiate and execute change order(s) in an amount not to exceed the construction contingency established for this Project of \$52,000, which is approximately fifteen percent (15%) of the estimated construction cost.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

2. The City Council finds the Project is categorically exempt under Section 15301 of the California Environmental Quality Act Guidelines because the Project is for the repair or restoration of existing facilities.
3. The City Council hereby awards the construction contract to and authorizes the City Manager to execute a construction contract and related documents with the lowest responsible bidder, Suarez & Munoz Construction, Inc., for the McCarthy Boulevard Lighting & Landscape Improvements Phase I Project No. 3402, in the amount of \$334,710.
4. The Director of Public Works is hereby authorized to negotiate and execute change order(s) for the McCarthy Boulevard Lighting & Landscape Improvements Phase I, Project No. 3402 in the cumulative contingency amount not to exceed \$52,000 for the Project.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney



**CITY OF MILPITAS**  
ENGINEERING DIVISION  
BID SUMMARY

**Project Name:** McCarthy Blvd LLMD Phase 1

**Project No. :** 3402

**Bid Date:** 10/30/2014 @ 2:00 PM

BASED BID				Engineer's Estimate		Suarez & Munoz Construction, Inc.		Marina Landscape		Robert A. Bothman, Inc.	
ITEM	DESCRIPTION	Qty.	UNIT	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
1	Mobilization (Max 5% of total base bid)	1	LS	\$15,000.00	\$15,000.00	\$12,000.00	\$12,000.00	\$15,000.00	\$15,000.00	\$26,828.00	\$26,828.00
2	Traffic Control (Max 5% of total base bid)	1	LS	\$5,000.00	\$5,000.00	\$4,000.00	\$4,000.00	\$15,000.00	\$15,000.00	\$22,996.00	\$22,996.00
3	Water Pollution Control Work	1	LS	\$9,500.00	\$9,500.00	\$3,000.00	\$3,000.00	\$7,000.00	\$7,000.00	\$15,636.00	\$15,636.00
4	Tree Preservation and Pruning	1	LS	\$5,000.00	\$5,000.00	\$3,000.00	\$3,000.00	\$10,500.00	\$10,500.00	\$1,512.00	\$1,512.00
5	Color Stamped Concrete Median	795	SF	\$25.00	\$19,875.00	\$15.00	\$11,925.00	\$35.00	\$27,825.00	\$14.00	\$11,130.00
6	Concrete median Maintenance Band	700	SF	\$25.00	\$17,500.00	\$20.00	\$14,000.00	\$39.00	\$27,300.00	\$17.00	\$11,900.00
7	Lighting	1	LS	\$45,000.00	\$45,000.00	\$39,500.00	\$39,500.00	\$52,000.00	\$52,000.00	\$58,049.00	\$58,049.00
8	Clearing, Grubbing, Disposal and Miscellaneous Demolition	1	LS	\$45,000.00	\$45,000.00	\$30,000.00	\$30,000.00	\$50,000.00	\$50,000.00	\$173,402.00	\$173,402.00
9	Decomposed Granite Paving	1	LS	\$3,470.00	\$3,470.00	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$2,162.00	\$2,162.00
10	Irrigation System	1	LS	\$75,000.00	\$75,000.00	\$113,000.00	\$113,000.00	\$77,000.00	\$77,000.00	\$104,201.00	\$104,201.00
11	3" Top Mulch	1	LS	\$15,000.00	\$15,000.00	\$34,000.00	\$34,000.00	\$22,000.00	\$22,000.00	\$27,300.00	\$27,300.00
12	1 Gallon Shrub/Groundcover	842	EA	\$20.00	\$16,840.00	\$25.00	\$21,050.00	\$15.00	\$12,630.00	\$42.00	\$35,364.00
13	2 Gallon Shrub	8	EA	\$30.00	\$240.00	\$35.00	\$280.00	\$28.00	\$224.00	\$58.00	\$464.00
14	5 Gallon Shrub	485	EA	\$35.00	\$16,975.00	\$35.00	\$16,975.00	\$35.00	\$16,975.00	\$68.00	\$32,980.00
15	24" Box Tree	18	EA	\$300.00	\$5,400.00	\$460.00	\$8,280.00	\$580.00	\$10,440.00	\$930.00	\$16,740.00
16	Metal Rail	16	LF	\$325.00	\$5,200.00	\$200.00	\$3,200.00	\$300.00	\$4,800.00	\$428.00	\$6,848.00
TOTAL				\$300,000.00		\$317,710.00		\$352,194.00		\$547,512.00	
						APPARENT LOW BIDDER					

**ADD ALTERNATE BID ITEMS**

				Engineer's Estimate		Suarez & Munoz Construction, Inc.		Marina Landscape		Robert A. Bothman, Inc.	
ITEM	DESCRIPTION	Qty.	UNIT	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
A	Removal of existing perimeter decomposed granite paving at Southeast Corner (including header & sub-base and install new Concrete walks at Southeast Corner	1	LS	\$20,000.00	\$20,000.00	\$17,000.00	\$17,000.00	\$20,000.00	\$20,000.00	\$15,813.00	\$15,813.00
Total		\$20,000.00				\$17,000.00		\$20,000.00		\$15,813.00	